



United States Mission to the OSCE

Response to Chief Prosecutor of the ICTY Carla Del Ponte

As delivered by Ambassador Stephan M. Minikes
to the Permanent Council, Vienna
May 19, 2005

Thank you, Mr. Chairman.

We welcome the visit of Madame Del Ponte to the Permanent Council today and thank her for her very thoughtful and important remarks.

The United States remains strongly committed to supporting the efforts of the International Criminal Tribunal for the Former Yugoslavia (ICTY) to bring to justice those who are responsible for serious violations of international humanitarian law.

We have actively supported the work of the Tribunal since its inception, because we believe that bringing accountability for war crimes is an integral part of helping the region to move beyond the problems of the past, strengthen the rule of law, promote human rights and thereby foster peace, stability and ethnic reconciliation.

The region has made great progress in working to rebuild after years of war and armed conflict. We have been encouraged by the political will demonstrated in the past few months by Serbia and Montenegro and by Bosnia and Herzegovina, as well as by their efforts to ensure that more than a dozen indictees face justice in The Hague.

Work remains to be done, however, and we continue to make clear to authorities in the region that meeting their international obligations to the ICTY is a prerequisite for full integration into Euro-Atlantic institutions. We continue to engage with all parties in the region to urge their full, active cooperation with the ICTY.

Full cooperation with the ICTY includes not only providing full access to archives and to witnesses, but also apprehending all of the remaining 10 fugitive indictees and transferring them to The Hague, most notably Ratko Mladic, Radovan Karadzic and Ante Gotovina.

We also support the Tribunal's progress on its Completion Strategy, and welcome the fact that it met the first benchmark by completing all investigations into the new indictments by the end of 2004.

The United States has worked very hard to help create the capacity for transparent, fair and credible adjudication of low and mid-level war crime cases by domestic courts in the region. As the region's domestic courts achieve this capacity and their governments come into full compliance with their obligations to the Tribunal, we support the transfer of ICTY cases to domestic courts. Although The Hague is where senior-level indictees

including Mladic, Karadzic and Gotovina will be tried, it is important to the region, with help from the international community, to also adjudicate the rest.

In this respect, we welcome the decision just taken on cooperation between the OSCE and the ICTY in monitoring trials which are transferred to domestic courts. We also welcome the decision taken on 17 May to transfer the case of Radovan Stankovi to domestic courts in Bosnia and Herzegovina.

I should also note that the United States Government has provided significant assistance to this effort - which amounted to over \$15 million in Bosnia alone - and we continue to urge others to contribute as well.

Thank you very much, Mr. Chairman.